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R.G.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/306,684	05/06/99	LARSSON	A 34650-00428

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EXAMINER

LUU, A

ART UNIT PAPER NUMBER

2816

DATE MAILED: 09/21/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
**09/306,684**

Applicant(s)  
**Larson et al.**

Examiner  
**An T. Luu**

Group Art Unit  
**2816**



☒ Responsive to communication(s) filed on Jul 18, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-14 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☒ Claim(s) 7-14 is/are allowed.

☒ Claim(s) 1-6 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☒ The proposed drawing correction, filed on Jul 18, 2000 is ☒ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## **DETAILED ACTION**

### ***Introduction***

1. Applicant's Amendment filed on 7-18-00 has been received and entered in the case. The rejections set forth in the previous Office Action are partially maintained as indicated below.

### ***Claim Rejections - 35 USC § 112***

2. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The limitation "an input for receiving first data and second data", line 3 of claim 1 is not supported by the disclosure. It appears that "an input" receives only one data signal as shown in figures. Then, it is not clear how one data signal at a single terminal can be interpreted for receiving "first data and second data" as recited in claim.

Claims 2-6 are rendered indefinite by the deficiencies of the independent claims noted above.

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***Claim Rejections - 35 USC § 102***

3. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by the Hanawa et al. reference (U.S. Patent 4,745,302).

The Hanawa et al. reference discloses in figure 2 an apparatus comprising a first flip flop (FF) 102 being control by a first clock signal O1 for receiving a first data 110; a combinational logic (103, 104) connected to the first FF for receiving the data from the first FF; and a second FF 105, being controlled by a second clock signal O2 having an input connected to the combinational logic for receiving the data from the combinational logic and an output for transmitting the data as recited in claims 1-2.

***Response to Arguments***

4. Applicant's arguments filed 7-18-00 have been fully considered but they are not persuasive as far as claims 1 and its dependent claims are concerned.

Applicant has pointed out that “the input receives both first data and second data”. However, this assertion is not found acceptable since there is no evident to support that explanation. As shown in figures, there is only one terminal for receiving input.

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*Allowable Subject Matter*

5. Claims 7-14 are allowed.
6. Claims 3-6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2<sup>nd</sup> paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
7. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record fails to disclose an apparatus and method thereof comprising of flip-flop having a specific structure as recited in claim 3. As to claims 7 and 12, none of the prior art discloses the limitation “the arrival times of the first and second clock signal at the second flip-flop are skewed”.

*Conclusion*

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication should be directed to An T. Luu whose phone number is (703)-308-4922 and facsimile number is (703)-308-7722.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reach on (703) 308-4876. The fax phone number for this Group is (703) 308-7722.

Any inquiry of a general nature or relating to the status of this application should be directed to group receptionist at (703)-308-0956.

An T. Luu *ATL*

September 12, 2000

  
TIMOTHY P. CALLAHAN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800